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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

RICHARD KADREY, an individual; SARAH
SILVERMAN, an individual; CHRISTOPHER
GOLDEN, an individual,

Individual and Representative Plaintiffs,

v.

META PLATFORMS, INC., a Delaware
corporation;

Defendant.

Case No. 3:23-cv-03417-VC

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE TO JANUARY
12, 2024**

Hon. Vince Chhabria

Trial Date: None
Date Action Filed: July 7, 2023
Current CMC Date: December 8, 2023

**STIP. AND ~~PROPOSED~~ ORDER TO CONTINUE
CASE MANAGEMENT CONFERENCE
3:23-cv-03417-VC**

Pursuant to Civil L.R. 7-11 and Paragraph 16 of the Court’s Standing Order, Plaintiffs Richard Kadrey, Sarah Silverman, and Christopher Golden (collectively, “Plaintiffs”) and Defendant Meta Platforms, Inc. (“Meta” or “Defendant”) submit this Stipulation (“Stipulation”) to continue the Initial Case Management Conference (“CMC”), currently scheduled for December 8, 2023, to January 12, 2024 to permit the parties to address in their joint case management statement and at the CMC Plaintiffs’ forthcoming amended complaint, which is due by December 11, 2023, as well as consolidation of *Chabon et al. v. Meta Platforms Inc.*, No. 3:23-cv-04663-DMR (N.D. Cal.) (the “*Chabon Action*”). Good cause exists to grant this Stipulation, as discussed below.

1. Plaintiffs filed the Complaint (ECF No. 1) in this action on July 7, 2023.
2. The initial CMC was previously scheduled for October 20, 2023. (ECF No. 13.)
3. On September 18, 2023, Meta filed a motion to dismiss (“Motion to Dismiss”) (ECF No. 23) under Rule 12(b)(6) of the Federal Rules of Civil Procedure directed to all six claims in the Complaint.
4. On September 12, 2023, the *Chabon Action* was filed against Meta in this Court, asserting identical causes of action and concerning substantially the same parties, transactions, and events at issue as in the instant action.
5. On September 19, 2023, Plaintiffs filed an unopposed Motion to Relate Case (ECF No. 28) to consider whether the *Chabon Action* and this action should be related (“Related Cases Motion”). The Related Cases Motion was granted on September 22, 2023. (ECF. No. 28.)
6. On September 22, 2023, the parties stipulated to continuing the CMC to November 16, 2023 to coincide with the hearing on Meta’s Motion to Dismiss.
7. On October 6, 2023, the Court granted the parties’ stipulation, but opted to instead continue the CMC to December 8, 2023. (ECF No. 33.) The initial CMC is currently scheduled for December 8, 2023 at 10:00 a.m.
8. On November 20, 2023, the Court granted Meta’s Motion to Dismiss and permitted Plaintiffs leave to amend certain claims by December 11, 2023. (ECF No. 54.)

9. The parties have in this action and the *Chabon* Action will soon file a stipulation and proposed order to consolidate the *Chabon* Action with this proceeding. The parties in this action have conducted their Rule 26(f) conference of counsel, exchanged initial disclosures, and are in the process of drafting a protective order and ESI protocol applicable to both proceedings.

10. Paragraph 16 of the Court’s Standing Order provides that “[i]f the parties wish to continue a case management conference, they must file a stipulation or motion – separate from their joint case management statement – at least 72 hours prior to the conference.”

11. The parties seek to continue the CMC from December 8, 2023 to January 12, 2024. This will permit the parties to address Plaintiffs’ amended complaint, the *Chabon* Action, and the case management stipulations in a more fulsome manner, both in their joint case management statement and at the CMC.

12. Good cause exists for this request, as moving the CMC will promote judicial economy and allow the parties to conduct a more productive CMC. No party will be prejudiced by the requested continuance.

13. For these reasons, the parties hereby stipulate to and request an order continuing the CMC currently scheduled for December 8, 2023 at 10:00 a.m. to January 12, 2024 at 10:00 a.m., and continuing the parties’ attendant obligations to submit a joint case management statement accordingly.

Dated: December 4, 2023

COOLEY LLP

By: /s/ Bobby Ghajar

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Dated: December 4, 2023

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~~[PROPOSED]~~ ORDER

PURSUANT TO THE STIPULATION, IT IS SO ORDERED:

1. The Initial Case Management Conference, currently scheduled for December 8, 2023 at 10:00 a.m., is hereby continued to January 12, 2024 at 10:00 a.m.; and
2. Any deadline associated with the parties' obligations to submit a joint case management statement is tolled until January 5, 2024.

Dated: December 5, 2023



HON. VINCE CHHABRIA
UNITED STATES DISTRICT JUDGE